**South Carolina General Assembly**

119th Session, 2011-2012

**H. 3056**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Limehouse, H.B. Brown, Taylor, Hixon and Patrick

Document Path: l:\council\bills\nbd\11065sd11.docx

Introduced in the House on January 11, 2011

Currently residing in the House Committee on **Judiciary**

Summary: Candidates for public office

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/7/2010 House Prefiled

12/7/2010 House Referred to Committee on **Judiciary**

1/11/2011 House Introduced and read first time ([House Journal‑page 26](file:///h:\hj%20archive\2011\01-11-11.docx))

1/11/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 26](file:///h:\hj%20archive\2011\01-11-11.docx))

1/19/2011 House Member(s) request name added as sponsor: Patrick

**VERSIONS OF THIS BILL**

[12/7/2010](file:///p:\pprever\2011-12\3056_20101207.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-7-155 SO AS TO PROHIBIT A PERSON INCLUDING A CANDIDATE FOR PUBLIC OFFICE FROM KNOWINGLY MAKING A FRAUDULENT STATEMENT OR REPRESENTATION, VERBALLY OR IN WRITING, REGARDING THE PERSON’S RECORD OF MILITARY SERVICE IN THE UNITED STATES ARMED FORCES FOR THE PURPOSE OF GAINING HONORARIUM, PUBLIC OFFICE, OR OTHER POSITION OF AUTHORITY OR EMPLOYMENT, AND TO PROVIDE PENALTIES FOR VIOLATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 3, Chapter 7, Title 16 of the 1976 Code is amended by adding:

“Section 16-7-155. (A) No person may knowingly make a fraudulent statement or representation, verbally or in writing, regarding the person’s record of military service in the United States Armed Forces for the purpose of gaining recognition, honorarium, public office, or other position of authority or employment.

(B) Any person who knowingly and wilfully violates the provisions of subsection (A) in addition to all other penalties provided by law shall be punished for a first offense by a fine not exceeding one thousand dollars. Except as provided below, the magistrates court has jurisdiction over these offenses. If the person violating the provisions of subsection (A) is a candidate for public office, he shall be punished by a fine not exceeding one thousand dollars to be imposed by the State Ethics Commission for candidates subject to their jurisdiction and by the appropriate ethics committees of the General Assembly for candidates under their jurisdiction. A series of fraudulent statements or misrepresentations made by a candidate for a particular office during a particular election cycle is considered a single violation. A person including a candidate for public office who violates the provisions of subsection (A) for a second or subsequent time is guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars or imprisoned for a term not exceeding thirty days.”

SECTION 2. This act takes effect upon approval by the Governor.

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